

Message Text

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ACTION EUR-08

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C O N F I D E N T I A L ROME 04468

CORRECTED COPY FOR MRN SHOULD BE 04468 VICE 00004

LIMDIS

E.O. 11652: GDS
TAGS: MILI, IT
SUBJECT: US FORCES RADIO IN ITALY

1. AS THE DEPARTMENT IS AWARE, THIS EMBASSY HAS BEEN ATTEMPTING FOR MANY YEARS TO "LEGALIZE" THE US ARMED FORCES BROADCASTING SERVICE OPERATING IN ITALY. A SPECIFIC AND FORMAL GOVERNMENT-TO-GOVERNMENT AGREEMENT IS NOT FEASIBLE NOR WOULD THE AMENDMENT OF AN EXISTING AGREEMENT BE POSSIBLE UNDER CURRENT CIRCUMSTANCES. ALTHOUGH THE ITALIAN SUPREME COURT HAS RULED AGAINST THE BROADCASTING MONOPOLY PREVIOUSLY HELD BY THE GOVERNMENT, THERE REMAIN RESTRICTIVE ELEMENTS IN THE ITALIAN LAW THAT WILL UNDOUBTEDLY BE REINFORCED BY NEW LEGISLATION UNDER CONSIDERATION TO PROVIDE FOR ORDERLY LICENSING OF BROADCASTERS. AMONG THOSE ELEMENTS ARE SUCH PROVISIONS AS THE REQUIREMENT THAT A BROADCASTER BE AN ITALIAN CITIZEN. THERE ARE OTHER AS SERIOUS IMPEDIMENTS TO LEGALIZATION OF ARMED FORCES RADIO HERE THAT WE HAVE
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REPORTED AT LENGTH TO THE DEPARTMENT ON SEVERAL PREVIOUS OCCASIONS, AND NEED TO REPETITION. MEANWHILE, THE NUMBER OF CHALLENGES TO OUR CONTINUED BROADCASTING HAVE INCREASED, AND THE REAL POSSIBLITY EXISTS THAT WE MAY BE ASKED TO GET OFF THE AIR.

2. IN RECENT WEEKS WE HAVE EXPLORED A NEW AVENUE (WHICH

FOR ONCE HAS NOT TURNED INTO A BLIND ALLEY). THE MINISTRY OF DEFENSE HAS HAD ASSIGNED TO IT PART OF THE FM BAND FOR THE USE OF "FIXED AND MOBILE STATIONS." THIS BAND FALLS OUTSIDE THE PURVIEW OF THE MINISTRY OF POSTS AND TELEGRAPH. IT IS WITHIN THE THIS BAND (COINCIDENTALLY) THAT ARMED FORCES RADIO IN ITALY HAS BEEN BROADCASTING. THROUGH CONTACTS IN THE MOD WE WERE ABLE TO OBTAIN THE SUPPORT OF MINISTER RUFFINI FOR A "FORMALIZED" USE OF THOSE FREQUENCIES. THOUGH THE ARRANGMENT IS TYPICALLY A LA ITALIANA (SEVERELY BENDING MOST RELEVANT REGULATIONS), IT SUPPLIES A VERY SUBSTANTIAL FIG LEAF BEHIND WHICH WE CAN BROADCAST UNDER THE EXPLICIT PROTECTION OF THE MOD.

3. THE MOD ACTION OFFICER (UNDER DIRECT INSTRUCTIONS OF THE MINISTER) MET WITH THE POL-MIL COUNSELOR AND CHIEF ODC LAST WEEK TO DISCUSS THE MODALITIES OF THE "UNDERSTANDING." HE SUGGESTED AN EXCHANGE OF LETTERS BETWEEN THE ODC AND THE CHIEF OF STAFF WHICH WOULD ESTABLISH THAT THE US FORCES WOULD USE THREE FREQUENCIES WITHIN THE MOD BAND " TO PROTECT THOSE FREQUENCIES FOR THE MOD (THAT IS, BY OCCUPYING THEM) FROM THE INCURSIONS OF PRIVATE RADIO BROADCASTERS" AND FOR PURPOSES OF RECALL, MORALE, ETC. WE EXPECTED TO HAVE A TEXT OF THE PROPOSED EXCHANGE THIS WEEK TO SUBMIT TO THE DEPARTMENT. HOWEVER, WE HAVE NOW LEARNED THAT ON FRIDAY, MARCH 10, THE MOD WILL DELIVER TO US WHAT CONFIDENTIAL

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PURPORTS TO BE THE AGREED MINUTES OF THAT CONVERSATION, THE SIGNATURE OF WHICH BY THE PARTIES OF THE CONVERSATION (AND WE EXPECT THE COUNTERSIGNATURE OF THE CHIEF OF STAFF--OR THE MINISTER) WILL CONSTITUTE THE UNDERSTANDING. THE MOD'S HASTE IN CONCLUDING THIS "UNDERSTANDING" ARISES FROM THE POSSIBILITY THAT MINISTER RUFFINI (ON WHOSE PERSONAL INTERVENTION THIS SOLUTION RESTS) MAY NOT BE MINISTER OF DEFENSE BEYOND FRIDAY, MARCH 10. ALTHOUGH WE HAVE CONFLICTING REPORTS AS TO RUFFINI'S FUTURE, THERE IS THAT RISK. WE CANNOT COUNT ON SIMILAR BOLDNESS FROM A SUCCESSOR.

4. WE RECOGNIZE THAT AN "UNDERSTANDING" OF THE KIND PROPOSED THAS LITTLE STANDING IN LAW. IN THE ITALIAN CONTEXT, HOWEVER, IT OFFERS ARMED FORCES RADIO AS MUCH PROTECTION AND "LEGALITY" AS IT IS LIKELY TO GET, AND IT REPRESENTS A REMARKABLE OPPORTUNITY NOT LIKELY TO PRESENT ITSELF AGAIN.

5. ACTION REQUESTED: DEPARTMENT CONCURRENCE BY IMMEDIATE CABLE IN SIGNATURE OF "MINUTES" BY POL-MIL COUNSELOR AND CHIEF ODC ON FRIDAY, MARCH 10.

GARDNER

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